

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.:BLOCK-2

In re Application of:	)	
CHRISTOPH BLOCK, ET AL.	)	
	)	
U.S. Appl. No.: 10/597,403	)	
	)	
Internat. Appl. No.: PCT/EP05/000663	)	
	)	Confirmation No.: 1486
Int. Filing Date: January 24, 2005	)	
	)	
For: EUKARYOTIC CELL EXPRESSING	)	
PHYCOCYANIN	)	

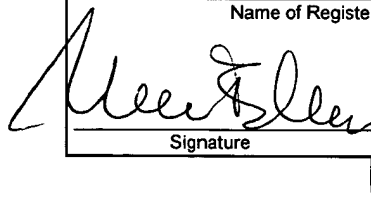
RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450", on January 23, 2009.  
(Date)

URSULA B. DAY

Name of Registered Representative

  
Signature

Jan 23 2009  
Date of Signature

SIR:

In response to the Notification of Defective Response, mailed on January 14, 2009, and having a shortened period for response terminating February 17, 2009, applicant herewith submits a CRF diskette with the Sequence Listing. A hard copy of the sequence listing was submitted upon filing the application.

Docket No.: BLOCK-2  
US Appl. No. 10/597,403  
Int. Appl. No.: PCT/EO2005/000663

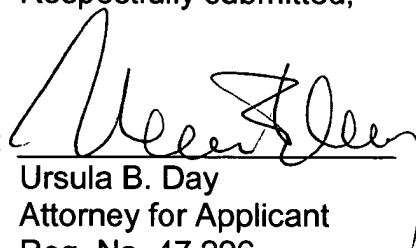
A copy of the Notification of Defective Response is also enclosed.

Applicant wishes to state for the record that a CRF diskette with the sequence listing had been filed on March 17, 2008, and its receipt in the USPTO on March 20, 2008 was confirmed by return postcard. However, this CRF diskette seems to have been lost in the USPTO.

No fee is believed to be due. However, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06 0502.

Respectfully submitted,

By:

  
Ursula B. Day  
Attorney for Applicant  
Reg. No. 47,296

January 23, 2009  
708 Third Avenue  
Suite 1501  
New York, N.Y. 10017  
(212) 244-5500  
UBD:be



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/597,403	CHRISTOPH BLOCK	BLOCK-2

20151  
HENRY M FEIEREISEN, LLC  
HENRY M FEIEREISEN  
708 THIRD AVENUE  
SUITE 1501  
NEW YORK, NY 10017

INTERNATIONAL APPLICATION NO.	
PCT/EP2005/000663	
LA. FILING DATE	PRIORITY DATE
01/24/2005	01/23/2004

**CONFIRMATION NO. 1486**  
**371 FORMALITIES LETTER**



Date Mailed: 01/14/2009

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 07/24/2006
- English Translation of the IA filed on 07/24/2006
- Copy of the International Search Report filed on 07/24/2006
- Preliminary Amendments filed on 07/24/2006
- Oath or Declaration filed on 03/20/2008
- Biochemical Sequence Listing filed on 03/20/2008
- U.S. Basic National Fees filed on 07/24/2006

Applicant's response filed 03/20/2008 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 03/10/2008 have not been completed.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951

- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

ANITA D JOHNSON

---

Telephone: (703) 308-9140 EXT 226